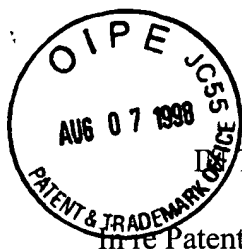


9/24/98

ATTORNEY DOCKET No. 27459-803/767



DEPT. OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRADE MARK  
In the Patent of:

MOURA et al. —

Application No. 08/703,767 —

Filed: August 27, 1996—

For: HYBRID ACCESS SYSTEM —  
UTILIZING CREDIT/DONE —  
PROTOCOLS —

)  
 )  
 ) Examiner: S. Hom —

) Art Unit: 2732 —

27c

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Honorable Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Sir:

## INFORMATION FROM LITIGATION OF PATENT ISSUING FROM PARENT APPLICATION

Applicants submit a document from a patent infringement action brought by assignee, Hybrid Networks, Inc. The action is Hybrid Networks, Inc., Plaintiff v. COM21, Inc. and Celestica, Inc., Defendants, Case No. 98-20085 RMW (EIA) in the U.S. District Court for the Northern District of California. The Action currently involves three patents: U.S. Patent No. 5,586,121, which issued from a parent application of the instant application; U.S. Patent No. 5,347,304; and Reissue Patent RE 35,774.

Enclosed is a document served by Defendant COM21, Inc.. COM21's document is entitled:


COM21'S INITIAL DISCLOSURE OF  
PRIOR ART PURSUANT TO LOCAL RULE 16-7(e).

COM21's document cites numerous "references," states a belief that these "references" relate to the validity of the claims of U.S. Patent No. 5,586,121, and states that these "references" are being produced. Applicants have not determined whether COM21's numerous "references" might be relevant to the claimed invention of the instant application, and have not enclosed COM21's "references." Applicants will submit any of these "references" upon the request of the Examiner.

Applicants' submission of the information above is not a representation that a search has been made or that no better art exists. Applicants' submission is not an admission that any of these documents describe prior art.

If there are any fees required for consideration of this information that are not enclosed, please charge such fees to the Farkas & Manelli, PLLC Deposit Account No. 06-0115.

Respectfully submitted,

By   
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